

ORDINANCE NO. 3506

TITLE: AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN THE CITY OF ALBANY, OREGON, ON NOVEMBER 3, 1970, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF ALBANY, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION OF TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OREGON CONSTITUTION AND DECLARING AN EMERGENCY.

RECITALS:

1. WHEREAS, it appears to the City Council of the City of Albany, Oregon, that a new tax base must be established, as authorized by subsection (2) of Section 11, Article XI, Oregon Constitution, in order to permit a proper operation of City affairs within the limitations contained in Section 11, Article XI, Oregon Constitution, and

2. WHEREAS, it is necessary to submit the questions establishing a new tax base to the legal voters of the City of Albany, Oregon, now, therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: SPECIAL ELECTION CALLED

The propositions set forth in Section 2 of this Ordinance should be submitted in the manner prescribed in this Ordinance to the legal voters of the City of Albany, Oregon, at a special election to be held on the 3rd day of November, 1970.

There is a state wide general election being held in the State of Oregon and in the City of Albany as a part thereof on the 3rd day of November, 1970, and this special election is called to be held concurrently therewith.

Section 2: PROPOSITION TO BE VOTED.

At the election there shall be submitted to the legal voters of the City of Albany, for their approval or rejection, the following proposition:

"Shall the tax base of the City of Albany, Linn County, Oregon be established as Four Hundred Sixty-Six Thousand and no/100 - - - - DOLLARS (\$466,000.00) for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The tax base now in effect is THREE HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED EIGHT DOLLARS (\$324,308.00) and the new tax base, if approved, shall first apply to the levy for the fiscal year next following this election."

Section 3: DESIGNATION OF POLLING PLACES, POLL BOOKS AND JUDGES.

The regular polling places designated by the County Court of Linn County, Oregon, in each voting precinct in the City of Albany are hereby designated as the polling places for the special City election. The poll books adopted by the County Court of Linn County, Oregon, as the poll books for the state wide general election for the voting precincts in the City of Albany hereby are adopted as the poll books for the special City election. The judges and clerks of election appointed by the County Court of Linn County, Oregon, to serve at the state wide general election hereby are designated as the judges and clerks of and for the special City election.

Section 4: HOURS OF ELECTION.

The polls for the special City election shall be open in each of the voting precincts at the same hour, and should be kept open until the same hour, as the polls are opened and closed for the state wide general election that will be held on the same date.

Section 5: NOTICE OF ELECTION.

Notice of election shall be given by publication twice in a newspaper of general circulation in the City of Albany, Oregon, not more than twenty (20) nor less than ten (10) days before the election. Notices of the election shall be posted for not less than twenty (20) days before the election in three (3) public places in the City. The notice in the newspaper and those posted in three (3) public places shall be in substantially the following form:

"NOTICE OF SPECIAL ELECTION

"On the 3rd day of November, 1970, in the City of Albany, Linn County, Oregon, from 8:00 a.m. to 8:00 p.m. a special election will be held at which the following measures will be submitted to the voters for their approval:

ESTABLISHING NEW TAX BASE OF Four Hundred Sixty-Six Thousand --- DOLLARS (\$466,000.00) for Albany, Oregon. Shall the tax base of the City of Albany, Linn County, Oregon, be established as Four Hundred Sixty-Six Thousand --- DOLLARS (\$466,000.00) for the purpose of applying limitations on taxation set forth in Section 11, Article XI, Oregon Constitution. The tax base now in effect is THREE HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED EIGHT DOLLARS (\$324,308.00) and the new base, if approved, shall first apply to the levy for the fiscal year following this election.

YES
NO

"The City and County precincts within the City of Albany, Linn County, Oregon, shall have uniform boundaries and the same election boards. The polling places in the City for the special City election shall be at the same places as provided by the County of Linn for the state wide general election to be held on the same day, November 3, 1970, and to such places as the elections boards may legally adjourn. The City Council by Ordinance has appointed the identical officers appointed by the County Court of Linn County, Oregon, for the state wide general election as the judges and clerks of the special City election to serve in each of the polling places in the respective precincts to which they are appointed by the County Court of Linn County, Oregon.

"WITNESS my hand and seal of the City of Albany this _____ day of October, 1970.

Recorder

The Recorder shall advertise and post or cause to be posted the notice as required by this section. The notice of election required to be given by this Ordinance shall constitute the only notice necessary and all ordinances and resolutions in conflict herewith shall not apply to the notices required to be given of this election.

Section 6: BALLOT FORM.

The following is the number and form in which the questions shall be printed on the official ballot.

"MEASURE NO. _____ VOTE YES OR NO. MARK AN "S" IN THE SQUARE BOX FOR THE ANSWER VOTED FOR.

Referred to the people by the City Council

ESTABLISHING NEW TAX BASE OF Four Hundred Sixty-Six Thousand --- DOLLARS (\$466,000.00) for the City of Albany, Linn County, Oregon: Shall the tax base of the City of Albany, Linn County, Oregon, be established as Four Hundred Sixty-Six Thousand --- DOLLARS (\$466,000.00) for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The tax base now in effect is Three Hundred Twenty-Four Thousand Three Hundred Eight DOLLARS (\$324,308.00) and the new tax base, if approved, shall first apply to the levy for the fiscal year next following the election.

YES NO

Section 7: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety, and general welfare of the citizens of the City of Albany that this matter be disposed of at the earliest possible moment, therefore, an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: August 26, 1970

Approved by the Mayor: August 26, 1970

Russell W. Drupp
Mayor

Effective Date: August 26, 1970

ATTEST:

Ernestine Isham
City Recorder